

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11cv225**

HELEN CLIETTE HOUEY and)	
EMMANUEL HOUEY,)	
)	
Plaintiffs,)	
)	
v.)	ORDER
)	
CAROLINA FIRST BANK, TD BANK)	
)	
Defendant.)	
_____)	

_____On March 14, 2012, Defendant filed a Suggestion of Bankruptcy Upon the Record [# 40] indicating that Plaintiffs filed for bankruptcy protection with the United States Bankruptcy Court for the Western District of North Carolina, Case Number 12-40142. Accordingly, the Court DIRECTS the parties to Show Cause in writing by April 13, 2012, whether this case is subject to an automatic stay pursuant to 11 U.S.C. § 362 or whether as an action brought by the debtor, the case may proceed in this forum simultaneously with the bankruptcy proceedings. See generally, Martin-Trigona v. Champion Fed. Sav. and Loan Ass'n, 892 F. 2d 575, 577-78 (7thCir. 1989).

Signed: April 2, 2012

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

